

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64597 of 2022

Arising Out of PS. Case No.-47 Year-2020 Thana- UPHARA District- Aurangabad

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DHARMENDRA SINGH @ TUNTUN SINGH @ TANTAN SINGH @
DHARMENDRA @ TUNTUN Son of Arjun Singh Resident of Village -
Saharsa, P.S.- Uphara, District - Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Krishna Prasad Singh, Sr. Advocate
	:	Mr. Bhaskar Shankar, Advocate
For the Opposite Party/s	:	Mr. Gauri Shankar Gupta, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 21-02-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Uphara
P.S. Case No. 47 of 2020 registered for the offence under
Sections 302, 201/34 of I.P.C.

The accused/petitioner is named in the F.I.R. and is in
custody since 19.02.2022.

The allegation against the petitioner is to abet suicide
committed by his wife after consuming poisonous substances
due to regular tortures, as deceased received from petitioner, due
to non-fulfillment of demand of dowry, as raised for



unexplained amount, where marriage was solemnized before 12 years of the occurrence.

Learned senior counsel appearing on behalf of the petitioner submitted that suicide was committed by wife of the petitioner out of family frustrations, when petitioner refused to live separately from his old age parents during Covid-19 period, while facing financial hardships. It is further submitted that the act of petitioner cannot be said an active or direct act leading the deceased to commit suicide, being left with no option. It is also submitted that no external injuries were noticed, while conducting post-mortem of the deceased, suggesting thereof that no physical assault, as alleged through F.I.R., was made ever or soon before the occurrence. While concluding the argument, it has been submitted that petitioner is a man of clean antecedent and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as nothing surfaced during the course of investigation, which may suggest, *prima-facie*, that the act of petitioner is of such nature, which leading to suicide, with no option left



coupled with the fact that charge-sheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Uphara P.S. Case No. 47 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned J.M.-1st Class, Daudnagar, District- Aurangabad/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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